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Attorneys for Defendants
APPIAN CONSTRUCTION CO., INC. and
1221 MONTICELLO, L.P.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NIC INSURANCE COMPANY, a New
York corporation

Plaintiff,

vs.

APPIAN CONSTRUCTION CO., INC., a
California corporation; 1221
MONTICELLO, L.P., a California Limited
Partnership; and DOES 1 through 50,
inclusive

Defendants.

CASE NO. C-07-05988 EMC

**DEFENDANTS' CERTIFICATION OF
INTERESTED ENTITIES OR PERSONS
[Civil L.R. 3-16]**

Pursuant to Civil L.R. 3-16, the undersigned certifies that the following listed persons, associations or persons, firms, partnerships, corporations (including parent corporations) or other entities (i) have a financial interest in the subject matter in controversy or in a party to the proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be substantially affected by the outcome of this proceeding:

1 Double Bogey, LP, which is a limited partner in Defendant 1221 Monticello, LP

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4 DATED: February 6, 2008

Respectfully submitted,

JACKSON, DeMARCO, TIDUS,
PETERSEN & PECKENPAUGH

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7 By: s/Bradley R. Mathews

Bradley R. Mathews
Attorneys for Defendants
Appian Construction Co., Inc. and
1221 Monticello, L.P.